IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT **PETITION NO.2610 OF 2005**

Ramachandra V. Dalvi & Ors..Petitioners

Vs.

Union of India & Ors.....Respondents

Mr. P.Janardhanan with Mr. C.K. Rajan, for Petitioners

Mr. R. Shetty, for the Respondents

CORAM: **F.I. REBELLO &**

MRS.V.K.TAHILRAMANI, JJ.

DATE: 8TH AUGUST 2006

P.C.

. The petitioners were applicants before the Central Administrative Tribunal in O.A. No.176 of 1999. The Tribunal in para.11 has issued certain directions. Aggrieved by the said order and other orders the respondents have preferred a Writ Petition being Writ Petition No.580 of 2004. By an order dated 23rd March, 2005 we had directed the petitioners to file an affidavit considering the inconsistency. When the matter came up on 6th April, 2005 none was present for the petitioners.

Consequently, the petition was dismissed for non-prosecution.

2. By the present petition the petitioners contend that the respondents have not complied with the order of the Tribunal and consequently this Court must issued directions for compliance of the order.

3. On the other hand on behalf of the respondents learned Counsel contends that pursuant to restructuring there are no posts available. It is not possible for this Court to go into that aspect unless a finding of fact is recorded by the C.A.T. It would, therefore, be open to the petitioners to take out whatever remedy is available to them before C.A.T and if aggrieved then only approach this Court.

With the above observation petition disposed of.

(**F.I. REBELLO, J)**

(**MRS.V.K.TAHILRAMANI, J).**